

Robert James Thomas DOC# 2067081  
Alternatives, Inc. Alpha House  
3109 1<sup>st</sup> Ave N.  
Billings, MT 59101  
PRO SE PETITIONER

16-0113

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

Cause No. \_\_\_\_\_

ROBERT JAMES THOMAS

Petitioner,

vs.

MIKE FERRITER, Director of Montana  
Department of Corrections; and

DAVE ARMSTRONG, Director of  
Alternatives, Inc.

Respondents.

PETITION FOR APPOINTMENT  
OF COUNSEL

**FILED**

MAR 17 2010

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

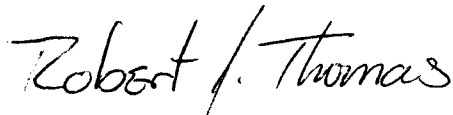
The undersigned petitioner requests the appointment and assistance of counsel allowed under §47-1-104(4)(a)(vi), and I hereby certify under penalty of perjury that the following facts are true in support of this petition for counsel:

- I am a petitioner for a WRIT OF HABEAS CORPUS based on the a failure of the sentencing Court to correctly apply previously awarded street-time and legislatively mandated incarceration time and once proved, I am entitled to immediate release from restraint.
- I represent to this Honorable Court that I am currently restrained of my liberty and lack the meaningful legal materials, resources, and esoteric training to successfully present the facts and/or defend against the efforts of the State.
- I represent that the appointment of counsel is warranted in the interest of justice, to preserve due process, and compensate for the lack of case law available and pertinent to my argument.

The Petitioner relies on the following Montana Supreme Court case law in support of his petition for counsel: Swearingen v. State, 2001 MT 10, 304 Mont. 97, 18 P.3d 998. See also, Ranta v. State, 1998 MT 95, 288 Mont. 391, 958 P.2d 670; Woods v. State, 2001 MT 1523, 305 Mont. 535, 27 P.3d 440.

WHEREFORE, given the foregoing reasons, the appointment of counsel should be strongly considered in this case and that this petition will therefore, be granted accordingly.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Robert J. Thomas". The signature is written in dark ink and is positioned above the printed name.

ROBERT JAMES THOMAS

CERTIFICATE OF SERVICE

I hereby certify that I served true and accurate copies of the foregoing Petition For Counsel by depositing said copies into the U.S. mail, postage prepaid, addressed to the following:

Attorney for Montana  
(address) P.O. Box 201401, Helena, MT 59620-1401

DATED this 13 day of March 2000

Robert J. Thomas  
(signature)